

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN**

FEDERAL TRADE COMMISSION,

Plaintiff,

v.

**FINANCIAL EDUCATION
SERVICES, INC., *et al.*,**

Defendants.

Case No. 2:22-cv-11120-MFL-APP

Hon. Matthew F. Leitman

**STIPULATED MOTION TO STAY CASE FOR 120 DAYS TO CONSIDER
FINAL SETTLEMENT AGREEMENT AS TO DEFENDANTS VR-TECH
MGT, LLC, CM RENT INC., STATEWIDE COMMERCIAL LENDING
LLC, MICHAEL TOLOFF, AND CHRISTOPHER TOLOFF AND RELIEF
DEFENDANT GAYLE TOLOFF**

Come now Plaintiff, the Federal Trade Commission (“FTC”), and Defendants VR-Tech MGT, LLC, CM Rent Inc., Statewide Commercial Lending LLC, Michael Toloff, and Christopher Toloff and Relief Defendant Gayle Toloff (“Toloff Defendants”), by and through their undersigned counsel, and hereby stipulate, agree, and move the Court for an order staying all deadlines in this case for 120 days with respect to the Toloff Defendants, including all deadlines set forth in the Scheduling Order entered on April 22, 2024 (ECF No. 164). In support of this request, the parties state as follows:

1. Counsel for the FTC and the Toloff Defendants have negotiated final settlements in this matter.

2. Although FTC counsel has the authority to negotiate settlement agreements, under Section 4.14(c) of the FTC's Rules of Practice, 16 C.F.R. § 4.14(c), only a majority vote by the several FTC Commissioners can approve any such agreement.
3. If the FTC approves the settlements, further litigation in this matter as to the Toloff Defendants will not be necessary.
4. Because the FTC's review and approval process can take several weeks, the parties respectfully request that the Court stay the case for 120 days to allow adequate time for the FTC to review and approve the final settlements.
5. The requested stay would not apply to any of the other defendants. The case and litigation shall continue, and all deadlines remain unaffected, as to Defendants Financial Education Services, Inc., United Wealth Services, Inc., VR-Tech, LLC, Youth Financial Literacy Foundation, LK Commercial Lending LLC, Parimal Naik, and Gerald Thompson.

Wherefore, based on the foregoing, the FTC and the Toloff Defendants respectfully request that this stipulation be granted and the entire case be stayed for 120 days as to the Toloff Defendants. A proposed order has been submitted in accordance with ECF Policies and Procedures R12.

IT SO STIPULATED on May 24, 2024:

/s/Gregory A. Ashe

GREGORY A. ASHE
JULIA E. HEALD
JAMES I. DOTY
Federal Trade Commission
600 Pennsylvania Avenue NW
Washington, DC 20580
Telephone: 202-326-3719 (Ashe)
Telephone: 202-326-3589 (Heald)
Telephone: 202-326-8037 (Doty)
Facsimile: 202-326-3768
Email: gashe@ftc.gov, jheald@ftc.gov,
jdoty@ftc.gov

DAWN N. ISON
United States Attorney
KEVIN R. ERSKINE
Assistant United States Attorney
211 W. Fort Street, Suite 2001
Detroit, MI 48226
Telephone: 313-226-9610
Email: kevin.erskine@usdoj.gov

*Attorneys for Plaintiff Federal Trade
Commission*

/s/Lisa A. Messner (with permission)

HELEN MAC MURRAY
LISA A. MESSNER
WALTER C. BLACKHAM
ERICA R. HOLLAR
Mac Murray & Shuster LLP
6525 West Campus Oval, Suite 210
New Albany, OH 43054
Telephone: 614-939-9955
Facsimile: 614-939-9954
Email:
hmacmurray@mslawgroup.com,
lmessner@mslawgroup.com,
wblackham@mslawgroup.com,
ehollar@mslawgroup.com

DAVID W. WARREN
EMILY R. WARREN
Joelson Rosenberg, PLC
30665 Northwestern Hwy, Suite 200
Farmington Hills, MI 48334
Telephone: 248-855-2233
Facsimile: 248-855-2388
Email: dwarren@jrlawplc.com,
ewarren@jrlawplc.com

*Attorneys for Defendants VR-Tech
MGT, LLC, CM Rent Inc., Statewide
Commercial Lending LLC, Michael
Toloff, and Christopher Toloff and
Relief Defendant Gayle Toloff*

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on May 24, 2024, a true and correct copy of **STIPULATED MOTION TO STAY CASE FOR 120 DAYS TO CONSIDER FINAL SETTLEMENT AGREEMENT AS TO DEFENDANTS VR-TECH MGT, LLC, CM RENT INC., STATEWIDE COMMERCIAL LENDING LLC, MICHAEL TOLOFF, AND CHRISTOPHER TOLOFF AND RELIEF DEFENDANT GAYLE TOLOFF** was filed electronically with the United States District Court for the Eastern District of Michigan using the CM/ECF system, which sent notification to all parties of interest participating in the CM/ECF system.

/s/Gregory A. Ashe

Attorney for Plaintiff Federal Trade Commission